
HOUSE BILL No. 1054

DIGEST OF INTRODUCED BILL

Citations Affected: IC 27-4-1-18; IC 34-24-3-1.5.

Synopsis: Damages for unfair claim settlement practices. Allows a person who suffers a pecuniary loss as a result of the commission of certain unfair claim settlement practices to bring a civil action against the person who caused the loss for: (1) an amount not to exceed two times the actual damages of the person suffering the loss; (2) the costs of the action; and (3) a reasonable attorney's fee.

Effective: July 1, 2001.

Stilwell

January 8, 2001, read first time and referred to Committee on Insurance, Corporations and Small Business.

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Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1054

A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 27-4-1-18 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 18. This article does
3 not create a cause of action other than an action by:

- 4 (1) the commissioner to enforce ~~his~~ **the commissioner's** order; ~~or~~
5 (2) a person, as defined in section 1 of this chapter, to appeal an
6 order of the commissioner; ~~or~~
7 **(3) a person under IC 34-24-3-1.5.**

8 SECTION 2. IC 34-24-3-1.5 IS ADDED TO THE INDIANA CODE
9 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
10 1, 2001]: **Sec. 1.5. If a person suffers a pecuniary loss as a result of**
11 **the commission of an act described in IC 27-4-1-4.5(1),**
12 **IC 27-4-1-4.5(4), IC 27-4-1-4.5(6), IC 27-4-1-4.5(7),**
13 **IC 27-4-1-4.5(9), IC 27-4-1-4.5(11), or IC 27-4-1-4.5(12), the person**
14 **may bring a civil action against the person who caused the loss for**
15 **all of the following:**

- 16 (1) **An amount not to exceed two (2) times the actual damages**
17 **of the person suffering the loss.**



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- 1 **(2) The costs of the action.**
- 2 **(3) A reasonable attorney's fee.**

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